



**Ontario Federation of Agriculture**

**Ontario AgriCentre**

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Ben Weir, Senior Policy Adviser  
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Renewable Energy Facilitation Office  
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Via Email [Ben.Weir@ontario.ca](mailto:Ben.Weir@ontario.ca) and EBR Upload

Mr. Weir,

**Re: EBR 013-1916 Proposed New Regulation to be made under the Electricity Act, 1998**

The Ontario Federation of Agriculture (OFA) is the largest voluntary, general farm organization in Canada, representing over 37,000 farm families across Ontario. As a dynamic farmer-led organization based in Guelph, Ontario, OFA works to represent and champion the interests of Ontario farmers through government relations, farm policy recommendations, lobby efforts, community representation, media relations and more. OFA is the leading advocate and voice for Ontario farmers.

As part of 2017 Long-Term Energy Plan commitments for net metering, the Ministry of Energy proposes a new regulation to ensure certain non-rooftop solar and wind generation facilities are sited appropriately. Restrictions for connection to the electrical system will include: property setbacks; wind and non-rooftop solar connection to a residence; facilities over 10 kW located on properties within prime agricultural areas. Compliance includes signoff by a relevant professional; Association of Ontario Land Surveyor for setback; Canadian Institute of Planners member for prime agricultural area requirements.

The proposed regulation essentially mirrors the terminated Large Renewable Procurements (LRP) and Feed-In-Tariff (FIT) siting restrictions, OFA recommends ENERGY take this opportunity to address siting failures that arose under those programs.

Under LRP and FIT, the merit-point system did little to ensure municipalities and residents had any meaningful input to collaborate with proponents on preferred facility siting. Instead of fostering collaboration, the result of LRP and FIT processes typically pitted rural resident against rural resident, and did little to protect agricultural lands in areas of Ontario with little or no 'prime agricultural land' yet still defined as primarily agricultural communities.

Engaging local municipal government and participating in council meetings is important. Municipalities had no recourse to oppose a project other than by the omission of resolutions of support (the absence of priority points did not prevent a project, it only factored into the Government's decision process to rank approved proposals for upload).

Within the boundary of many municipalities, especially where boundaries expand to include abutting township lands, Agricultural Farm Classed land could be rezoned as rural residential. For example, under FIT, Class 3 land was 'protected' from development **except** where;

- a site is owned by the municipality, or
- a site that is not owned by the municipality, but is still under municipal jurisdiction

In practice, Class 3 land was not necessarily protected within municipal boundaries. Landowners, county agricultural federations and municipal councils must be able to work with generators to find appropriate sites for large installations.

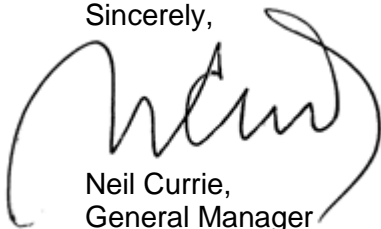
Class 3 lands should **always** be excluded, whether outside or inside a municipal boundary, unless there is a stipulation that the generation facility is located on a defined part of the land *that is not* Class 3, such as scrub or rock.

In addition, councils should be able to explore their own position on the appropriateness of including class 4 lands in restrictions by a municipality – understanding that some counties with a strong agricultural base work with mostly class 4 land, or that actual local parcel size may be too small to secure Primary Agricultural Land status.

The amount of arable land we can farm in Ontario is limited. Under LRP and FIT, land in agricultural production was not sufficiently protected. Many communities in areas with procurement capacity are heavily engaged in farming. Beyond the limited protection some Class 1 to 3 lands are given, this farmed land was not protected from development. The OFA recommends;

- Under no circumstance should any agricultural land be used for large-scale generation installations. Ground mounted solar installations generate power whether they are installed on farmland or marginal land and exposed rock.
- Strengthen Merit Point System for larger, or multi-customer virtual net metering systems. To restore public confidence in the procurement process, any Merit Point System must be strengthened to adhere to the intent of program rules. There are numerous instances under LRP where no points were awarded – limited community engagement, abutting neighbours acceptance, municipal council support, yet generation capacity was awarded. Net metering systems must ensure stronger collaboration between developers, land owners, local government and the public.
- Improve Public Engagement to encourage compromise between grid capacity restrictions limiting site options, and not-in-my-backyard protests, to explore community based solutions and encourage municipal participation in the program. Community projects with a rural economic development focus are important in achieving rural economic development.

Sincerely,



Neil Currie,  
General Manager